

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

KRAFT FOODS GLOBAL, INC., THE	)	
KELLOGG COMPANY, GENERAL	)	
MILLS, INC., and NESTLÉ USA, INC.,	)	
	)	
Plaintiffs,	)	No. 1:11-cv-08808
	)	
v.	)	Judge Charles R. Norgle
	)	
UNITED EGG PRODUCERS, INC.,	)	
UNITED STATES EGG MARKETERS,	)	
INC., CAL-MAINE FOODS, INC.,	)	
MICHAEL FOODS INC., and ROSE ACRE	)	
FARMS, INC.	)	
	)	
Defendants.	)	

**PLAINTIFFS’ OMNIBUS MOTION TO FILE UNDER SEAL**

Plaintiffs respectfully move the Court for leave to file Plaintiffs’ *Santiago* Proffer and Motions *in Limine* 1-3, 5, 7, and 8 under seal, pursuant to Federal Rule of Civil Procedure 26(c) and Local Rule 26.2.

In support of this motion, Plaintiffs state as follows:

1. Plaintiffs have today filed Plaintiffs’ *Santiago* Proffer and Memoranda in Support of Motions *in Limine* Numbers 1-3, 5, 7, and 8 (“MILs”). The *Santiago* Proffer and MILs contain references to material which Defendants and non-parties have designated as confidential.

Accordingly, under the Protective Order in this Case, Case Management Order No. 10 (Protective Order), and pursuant to Local Rule 26.2(c), Plaintiffs have provisionally filed the *Santiago* Proffer and MILs under seal.

2. As the Seventh Circuit has recognized, a Court may keep documents or portions thereof under seal if “there is good cause for sealing a part or the whole of the record.” *Citizens First Nat’l Bank of Princeton v. Cincinnati Ins. Co.*, 178 F.3d 943, 945 (7th Cir. 1999); *see also*

Local Rule 26.2(b) (applying “good cause” standard). Accordingly, the Court may seal filings if there are “legitimate concerns of confidentiality,” *Grove Fresh Dist., Inc. v. Everfresh Juice Co.*, 24 F.3d 893, 898 (7th Cir. 1994), such as where the information in question “meet[s] the definition of trade secrets or other categories of bona fide long-term confidentiality,” *Baxter Intern., Inc. v. Abbott Labs.*, 297 F.3d 544, 545 (7th Cir. 2002).

3. Here, Defendants and non-parties have designated information contained in the *Santiago* Proffer and MILs as confidential. Under the Protective Order, Plaintiffs are required to file these materials under seal in any court filing. This presents a legitimate concern of confidentiality and gives good cause to file the MILs under seal.

WHEREFORE, Plaintiffs respectfully request the Court enter an order granting it leave to file Plaintiffs’ *Santiago* Proffer and MILs under seal.

August 26, 2022

Respectfully submitted,

***Counsel for Plaintiffs Kraft Foods Global, Inc.,  
General Mills, Inc., Nestlé USA, Inc. and The  
Kellogg Company***

/s/ Brandon D. Fox

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 26, 2022, I electronically filed the foregoing document, and all filings listed in this document, with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants registered to receive service in this action. I further certify that I caused the foregoing document, and all filings listed in this document, to be served via electronic mail on counsel for all parties.

/s/ Brandon D. Fox  
Brandon D. Fox